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6 *Attorneys for Defendants*  
*JAMES DALTON, an individual;*  
7 *DAVID DERRICK, an individual;*  
8 *JEFFREY PETERSON, an individual*

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

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12 PARTNERS FOR GROWTH IV, L.P., a  
13 Delaware limited partnership,

14 Plaintiff,

15 v.

16 JAMES DALTON, an individual;  
17 DAVID DERRICK, an individual;  
JEFFREY PETERSON, an individual;  
18 and DOES I through 10, inclusive,

19 Defendants.  
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Case No. 4:21-cv-02807-KAW

**STIPULATION TO EXTEND TIME FOR  
DEFENDANTS TO RESPOND TO  
COMPLAINT**

Ballard Spahr LLP  
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Pursuant to Civil Local Rule 6-1(a), Defendants James Dalton (“Dalton”), David Derrick (“Derrick”), and Jeffrey Peterson (“Peterson”) (collectively, “Defendants”) and Plaintiff Partners for Growth IV, L.P. (“Plaintiff”), by and through their respective counsel, hereby stipulate as follows:

WHEREAS, on February March 30, 2021, Defendants served with a Complaint filed by Plaintiff in the Superior Court of the State of California, County of Marin;

WHEREAS, on April 19, 2021, Defendants filed a Notice of Removal of the state court action in the United States District Court for the Northern District of California;

WHEREAS, Plaintiff and Defendants had previously agreed that the time in which Defendants may file a response to the Complaint shall be extended, up to and including May 19, 2021, so that Defendants may investigate and review Plaintiff’s claims;

WHEREAS, good cause exists for this stipulation as local counsel for Defendants, Susan Nikdel, has only recently been retained, this is the first request for an extension, the granting of the relief requested will not result in the delay of any scheduled hearings, and no party is making this request for the purpose of delay;

WHEREAS, entry into this stipulation shall not constitute consent by the parties to have all matters heard by the Magistrate Judge.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, by and through their respective undersigned counsel that Defendants shall have until **May 19, 2021**, to answer, move, or otherwise respond to the Complaint.

DATED: April 22, 2021

BALLARD SPAHR LLP

/s/ Susan N. Nikdel  
Susan N. Nikdel

Attorneys for Defendants  
JAMES DALTON, DAVID DERRICK, and  
JEFFREY PETERSON

1 DATED: April 22, 2021

LEVY SMALL & LALLAS

2 /s/ Leo Daniel Plotkin

3 Leo Daniel Plotkin

4 Attorneys for Plaintiff

5 Pursuant to L.R. 5-1(i)(3), the filer of this document, Susan Nikdel, attests that concurrence in  
6 the filing of this document has been obtained from each of the other Signatories, which shall  
7 serve in lieu of their signatures on the document.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22nd day of April, 2021, I electronically filed a true and correct copy of the foregoing **STIPULATION TO EXTEND TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT** through the Court's CM/ECF system, which will send a notice of electronic filing to all parties.

/s/ Susan N. Nikdel  
Susan N. Nikdel

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